



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8, MONTANA OFFICE
FEDERAL BUILDING, 10 W. 15th STREET, SUITE 3200
HELENA, MONTANA 59626

Ref: 8MO

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Jan Sensibaugh, Director
Montana Department of Environmental Quality
Metcalf Building
1520 West Sixth Avenue
Helena, MT 50620

NOTICE OF VIOLATION

Docket No. **SDWA-08-2003-0031**

Re: Town of Winifred public water system
PWS ID# MT0000363

Dear Jan:

The above referenced public water system has violated certain provisions of the Safe Drinking Water Act (SDWA), 42 U.S.C. section 300f, et seq. and the National Primary Drinking Water Regulations at 40 C.F.R. part 141 described below.

The Environmental Protection Agency (EPA) obtained this information from your November 27, 2002 letter to EPA, the Montana Department of Environmental Quality's (MDEQ) files and data contained in the Safe Drinking Water Information System (SDWIS). Please notify Eric Finke of my staff at (406) 457-5026 within 20 days if your records show any discrepancies with these determinations of violation.

Alleged Violations at
Town of Winifred public water system, PWS ID# MT0000363

Compliance Period	Violation	
	Description	Regulatory Citation
1/1/1999 - 12/30/1999	Failure to monitor and report nitrate.	40 C.F.R. § 141.23(d)
1/1/1999 - 12/30/1999	Failure to prepare public notice of a violation.	40 C.F.R. § 141.201



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Compliance Period	Violation Description	Regulatory Citation
1/1/1999 - 12/30/1999	Failure to report a violation to the State within 48 hours.	40 C.F.R. § 141.31(b)
1/1/2000 - 12/30/2000	Failure to monitor and report nitrate.	40 C.F.R. § 141.23(d)
1/1/2000 - 12/30/2000	Failure to provide public notice of a violation.	40 C.F.R. § 141.201
1/1/2000 - 12/30/2000	Failure to report a violation to the State within 48 hours.	40 C.F.R. § 141.31(b)
1/1/2002 - 12/30/2002	Failure to monitor and report nitrate.	40 C.F.R. § 141.23(d)
1/1/2002 - 12/30/2002	Failure to provide public notice of violation	40 C.F.R. § 141.201
1/1/2002 - 12/30/2002	Failure to report a violation to the State within 48 hours.	40 C.F.R. § 141.31(b)
1/1/1999 - 12/30/2001	Failure to monitor and report Inorganic Contaminants (one time during compliance period).	40 C.F.R. § 141.23(c)(1)
1/1/1999 - 12/30/2001	Failure to provide public notice of violation	40 C.F.R. § 141.201
1/1/1999 - 12/30/2001	Failure to report a violation to the State within 48 hours.	40 C.F.R. § 141.31(b)
1/1/1999 - 12/30/1999	Failure to monitor and report Volatile Organic Contaminants.	40 C.F.R. § 141.24(f)
1/1/1999 - 12/30/1999	Failure to provide public notice of violation	40 C.F.R. § 141.201
1/1/1999 - 12/30/1999	Failure to report a violation to the State within 48 hours.	40 C.F.R. § 141.31(b)
1/1/2000 - 12/30/2000	Failure to monitor and report Volatile Organic Contaminants.	40 C.F.R. § 141.24(f)
1/1/2000 - 12/30/2000	Failure to provide public notice of violation	40 C.F.R. § 141.201
1/1/2000 - 12/30/2000	Failure to report a violation to the State within 48 hours.	40 C.F.R. § 141.31(b)

Compliance Period	Violation	
	Description	Regulatory Citation
1/1/2001 - 12/30/2001	Failure to monitor and report Volatile Organic Contaminants.	40 C.F.R. § 141.24(f)
1/1/2001 - 12/30/2001	Failure to provide public notice of violation	40 C.F.R. § 141.201
1/1/2001 - 12/30/2001	Failure to report a violation to the State within 48 hours.	40 C.F.R. § 141.31(b)
1/1/2002 - 12/30/2002	Failure to monitor and report Volatile Organic Contaminants.	40 C.F.R. § 141.24(f)
1/1/2002 - 12/30/2002	Failure to provide public notice of violation	40 C.F.R. § 141.201
1/1/2002 - 12/30/2002	Failure to report a violation to the State within 48 hours.	40 C.F.R. § 141.31(b)
1/1/1999 - 12/30/2001	Failure to monitor and report Synthetic Organic Contaminants (one time during compliance period).	40 C.F.R. § 141.24(h)
1/1/1999 - 12/30/2001	Failure to provide public notice of violation	40 C.F.R. § 141.201
1/1/1999 - 12/30/2001	Failure to report a violation to the State within 48 hours.	40 C.F.R. § 141.31(b)
1/1/2001 - 12/30/2001	Failure to provide Consumer Confidence Report	40 C.F.R. § 141.152 - .155

This NOTICE OF VIOLATION is issued pursuant to section 1414(a) of the SDWA, 42 U.S.C. section 300g-3(a). For the violations listed above, if MDEQ does not commence appropriate enforcement action within 30 days from the receipt of this notification, EPA is authorized to either issue an Administrative Order under section 1414(g) of the SDWA requiring the public water system to comply with these regulations, or commence civil action under section 1414(b) of the SDWA.

Please inform EPA of any change in the compliance status of this system. You may wish to confer with my staff to determine the Agency's position concerning this system and to exchange appropriate information. If the State does not commence appropriate enforcement action within 30 days from the receipt of the notification, EPA will contact MDEQ to make arrangements to review and copy documents in the system's file, including any records contained in the state archives. If you have any

questions, please contact Mr. Finke at (406) 457-5026. A copy of this NOTICE OF VIOLATION has been concurrently sent to the public water system identified above.

Sincerely,

David J. Janik

Michael T. Risner, Director
David J. Janik, Supervisory Attorney
Legal Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice Sincerely,

SIGNED

John F. Wardell, Director
EPA Montana Office

cc: Steve Welch, Permitting and Compliance Division
John Arrigo, Enforcement Division
Town of Winifred, PWS ID# MT0000363

**THIS DOCUMENT WAS FILED IN THE REGIONAL HEARING CLERK'S OFFICE ON
JUNE 4, 2003.**